

DEVIN DERHAM-BURK #104353
CHAPTER 13 STANDING TRUSTEE
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Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA - DIVISION 5

In re:

RAMOS, CANUTO JR

RAMOS, JUNIE

Debtor(s)

)
)
) Chapter 13
) Case No. 08-55253 ASW

)
) FIFTH AMENDED TRUSTEE'S OBJECTION TO
) CONFIRMATION WITH CERTIFICATE OF
) SERVICE

)
) Pre-Hearing Conference Date: JUNE 7, 2010
) Pre-Hearing Conference Time: 2:00 PM
) Place: 280 S. 1st Street Room 3020
) San Jose, CA
) Judge: Arthur S. Weissbrodt

Devin Derham-Burk, Trustee in the above matter, objects to the Confirmation of this 0% Plan for the following reasons:

1. The debtors filed an Fifth Amended Plan on May 12, 2010 which added the following language to Section 7: "Claim(s) of GMAC are disallowed as creditor has foreclosed on collateral." This is not appropriate. The debtors cannot use the Plan as a mechanism to disallow claim(s), therefore said language must be deleted. If it is the debtors' intention no provide for no payments to GMAC Mortgage (account #2609 and #2610), then an Amended Plan must be filed to add the following language, "Neither the debtors nor

1 Trustee shall disburse any funds on the claims filed by GMAC Mortgage (account #2609
2 and #2610) as the real property has been foreclosed.”
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5 Dated: May 24, 2010

/S/ Devin Derham-Burk

6 Chapter 13 Trustee
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Said envelopes were addressed as follows:

EVAN MARTYNDALE LIVINGSTONE
182 FARMER'S LN #100A
SANTA ROSA CA 95405

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